

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARTHA BERNDT, et al.,

Plaintiffs,

No. C 03-3174 PJH

v.

**ORDER MODIFYING PRETRIAL
SCHEDULE**

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

Before the court is plaintiffs' administrative motion to modify the pretrial scheduling order, filed on June 11, 2013. Defendants filed an opposition to the motion on June 14, 2013. Having read the papers filed in conjunction with the motion and carefully considered the arguments and the relevant legal authority, and good cause appearing, the court hereby DENIES plaintiffs' motion, but modifies the pretrial schedule as follows.

As an initial matter, the court finds that plaintiffs have not been diligent in completing discovery, nor have they been diligent in seeking this last-minute modification to the pretrial schedule. While plaintiffs do identify unforeseeable events that gave rise to their need for an extension, most of those events occurred last year, and plaintiffs have not explained their delay in seeking this 90-day extension of all dates. However, in light of the stipulated continuance that was recently granted (on June 14, 2013), the court does find that a 30-day extension is warranted. Thus, the pretrial schedule is modified as follows:

Event	Previous deadline	Modified deadline
Non-medical expert disclosure	7/17/13	no change (already modified by stipulation)
Expert, treating and other medical expert discovery cutoff	9/3/13	no change (already modified by stipulation)
Non-expert discovery cutoff	8/1/13	9/3/13
Rebuttal medical expert disclosure	9/2/13	10/2/13
Deposition cutoff for rebuttal medical experts	10/2/13	11/4/13
Dispositive motions filed	11/6/13	12/6/13
Oppositions filed	12/4/13	1/3/14
Replies filed	12/18/13	1/17/14

Finally, the court notes that it has already approved three stipulations to modify deadlines within the past three months. See Dkt. 489 (Mar. 21, 2013); Dkt. 497 (Apr. 24, 2013); Dkt. 517 (June 14, 2013). This will be the last modification.

IT IS SO ORDERED.

Dated: June 18, 2013



 PHYLLIS J. HAMILTON
 United States District Judge